

REMARKS

Claims 1-24 were pending in this matter at the time of the Office Action. As a result of this amendment, claims 1, 2 and 11-21 have been canceled and claims 3-8, 22-24 have been amended.

The response below is made in view of the amended claims.

Claim Rejections – 35 USC §112, first paragraph

The Examiner has rejected claims 1-10, 22, 23 under USC §112, first paragraph, for various issues relating to the original claim language. The claims as now amended address the issues raised by the Examiner and removes the language referred to. The applicant believes the claims as now amended comply with 35 USC § 112, and these rejections should be withdrawn.

Claim Rejections – 35 USC §112, second paragraph

The Examiner has rejected claims 1-10, 22 and 23 under USC §112, second paragraph, for being indefinite. The applicant has addressed the issues raised by the Examiner and believes the claims as amended are now definite and the Examiner's rejections should be withdrawn.

Claim Rejections – 35 USC §102(b)

The Examiner has rejected claims 1, 2, 5-9, 22, and 23 under 35 USC §102(b) as being anticipated by Irwin (735,265) or Knadler (807,748), in the alternative. The Examiner has also rejected claims 1, 2, 6-10, 22, and 23 under 35 USC §102(b) as being anticipated by Seiberling (932,815) or Henry (2,599,176), in the alternative. The Examiner also indicated that the subject matter of original claims 3 and 4 distinguished over the prior art and would be allowable if rewritten in independent form. Claim 3 has been amended to be placed into independent form and is believed to clearly distinguish over the prior art. It is therefore believed that claim 3 and those claims dependent therefrom, now provide a novel invention which is neither anticipated or made obvious by the prior art and the related rejections should be withdrawn. Similarly, claim 22 has been amended to distinguish over the prior art in a similar manner, and is also believed to be in allowable condition, and the related rejections should be withdrawn.

Claim Rejections – 35 USC §103(a)

The Examiner has rejected claim 10 under 35 USC §103(a) as being unpatentable over Irwin ('265) or Knadler ('748), in the alternative, in view of Seiberling ('815), Henry ('176), and French (398,001). The Examiner states that, based upon conventional tread patterns utilizing circumferential ridges and grooves as disclosed in Seiberling ('815), Henry ('176), and French ('001), it would have been obvious to one of ordinary skill in the art to provide such a conventional tread pattern for the Irwin ('265) or Knadler ('748) tires. Although claim 10 is directed to the feature that the tire is circumferentially anisotropic not related to tread patterns, it is believed that this claim is now allowable along with claim 3 on which it depends.

Although the Examiner indicated that claim 24 was withdrawn as a non-elected species claim, it is believed that claim 22 is generic to claims 23 and 24 and is in allowable form, such that claim 24 should be properly considered.

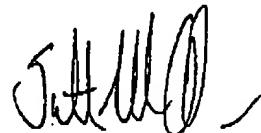
In view of the claim amendments and of the arguments set forth above, prompt reconsideration and allowance of the claims is earnestly requested.

In response to the Examiner's comments on the request to correct inventorship, a further petition under 37 CFR 1.48(a) is submitted herewith along with a declaration by the inventors. As now indicated, the co-inventor James A. Chrobak, who was erroneously omitted in the originally filed application, is added by this petition. A statement that this error occurred without deceptive intent is also represented. It is therefore believed that the request to correct inventorship is now proper. The petition fee was previously submitted October 9, 2001.

CONCLUSION

The applicant believes claims 3-10, 22, 23 and 24 distinguish from the cited prior art and are allowable. No new matter has been included, as no new claims have been added. In view of the arguments set forth above, prompt reconsideration and allowance of the claims is requested.

Respectfully submitted,



Scott M. Oldham
Reg. No. 32,712

HAHN LOESER + PARKS, LLP
1225 West Market Street
Akron, Ohio 44313-7188
Customer No. 021324
(330) 864-5550

Attorney Docket No.: 6700-1

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